



FARM LABOR CONTRACTOR EMPLOYEE/HARVESTER CHECKLIST

The Department of Labor and Industries and landowners, business operators, associations, and workers of the special forest products industry have created the following list to assist employees that work for a Farm Labor Contractor (FLC). Labor and Industries is NOT associated with the Immigration and Naturalization Service. We will not report an undocumented worker to the federal government—it is our intent to ensure you are provided a safe workplace, appropriate wages, and medical coverage if injured.

WHO IS A FARM LABOR CONTRACTOR?

A Farm Labor Contractor is an individual, firm, partnership, association, corporation or government agency that, for a fee, recruits, solicits, employs, supplies, transports, or hires agricultural workers. Agricultural workers are employed for growing, producing or harvesting farm or nursery products, or in the forestation or reforestation of lands or other related activities. “Fee” includes anything that is received in exchange for FLC services.

HOW DOES THIS AFFECT ME?

As an employee of a Farm Labor Contractor, you have certain rights under the law with regard to safety on the job site, wages, and filing a claim with the Department of Labor and Industries when injured on the job. This checklist is designed to help you, the harvester, understand your rights as an employee of a Farm Labor Contractor.

Place a checkmark in the box (☐) corresponding to the provided response.

Checklist Item	Business Practice
1. Do I work for a Farm Labor Contractor? <input type="checkbox"/> Yes <input type="checkbox"/> No	If your employer recruits, solicits, employs, supplies, transports, or hires agricultural workers, then they are a farm labor contractor (FLC). An FLC is required to do certain things for their employees, which are included in the following list.
2. Does each employee receive and sign an employment agreement form? <input type="checkbox"/> Yes <input type="checkbox"/> No	It is mandatory that FLC's give a form to each worker in their native language that explains the terms and conditions of employment and the worker's rights under the law.
3. Does each employee receive a payroll statement from his or her employer? <input type="checkbox"/> Yes <input type="checkbox"/> No	The worker must be provided a written statement that describes the total amount paid for the pay period and any deductions (taxes, insurance) taken from the check. It must also show the total hours worked, the rate of pay, and the pieces of work done. Wages must meet the state minimum wage (contact L&I for rate).
4. Each employee is entitled to a safe workplace free from recognized hazards, education about the hazards the employee may encounter, and information about protective equipment. Does your employer transport you to the picking site, in a vehicle with seats and seat belts for each occupant? <input type="checkbox"/> Yes <input type="checkbox"/> No	The FLC must provide a safe place to work. They must tell the employee about hazards such as working with special equipment, watching out for holes in the ground, and any issues regarding the employee's safety. The FLC must also give the employee protective equipment to prevent injury (like suntan lotion, eye protection, gloves, to name a few things). The FLC also has to inform the employee about where a first aid kit is located and what to do in an emergency.
5. Does the employer provide housing for the employee, and meet certain safety requirements involved with temporary labor camps? <input type="checkbox"/> Yes <input type="checkbox"/> No	If a worker is being housed by the FLC, then the camp has to have hot and cold running water, a toilet for every 15 people, a sink for every six people, garbage collection and removal, and a bed for each person. There are other requirements as well that L&I employees can explain.
6. Does each employee know they can file a claim with L&I if they are injured on the job? <input type="checkbox"/> Yes <input type="checkbox"/> No	If a worker is injured on the job, you should go to a doctor who will file a claim with L&I on your behalf. L&I will look into the actions that caused the claim, and help cover the costs if the injury occurs at work. We have Spanish-speaking claims managers to help you understand your rights. L&I will not turn an undocumented worker over to other state or federal government agencies.